

RESOLUTION NO. 20170209-010

WHEREAS, the City provides wholesale potable water and sanitary sewer services (“Wholesale Utilities”) to Shady Hollow Municipal Utility District (the “MUD”); and

WHEREAS, the MUD filed a petition with the Public Utility Commission of Texas (“PUCT”) appealing the rates the City charges to the MUD for the Wholesale Utilities on October 28, 2016; and

WHEREAS, the City and the MUD have reached tentative agreement to settle the MUD’s rate appeal to the PUCT, subject to approval of the City Council;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is authorized to execute a settlement agreement with the MUD on terms that the City Manager determines are reasonable and necessary to settle the matter, subject to the following;

1. The City Manager is authorized to make a one-time payment of up to \$850,000 to the MUD immediately following the MUD’s withdrawal of its rate appeal; and
2. The City Manager is authorized to amend the contracts obligating the City to provide Wholesale Utilities to the MUD to fix the just and reasonable monthly fixed and volumetric rates of the Wholesale Utilities

provided to the MUD through April 2, 2018 in accordance with the attached and incorporated rate schedule (Exhibit A).

ADOPTED: February 9, 2017

ATTEST:

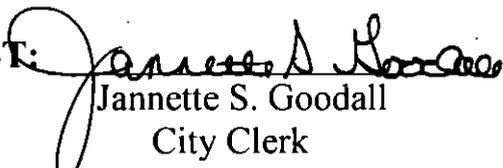

Jannette S. Goodall
City Clerk

Exhibit A

| | Wholesale Water | Wholesale Wastewater Services |
|-------------------------------------|------------------------|--|
| Fixed Monthly Charge | \$10,950.00 | \$11.00 |
| Volumetric Rate per 1000 gallons | \$2.97 | \$4.17 |